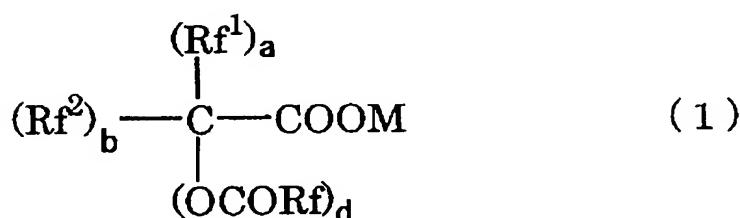


**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (original): A method of producing a fluoropolymer, wherein polymerization using a carboxylate ester bond-containing carboxylic acid derivative as a surfactant in an aqueous medium to give the fluoropolymer is conducted, said carboxylate ester bond-containing carboxylic acid derivative has a carboxylate ester bond and  $-COOM$  (M representing H,  $NH_4$ , Li, Na or K), said carboxylate ester bond may optionally be substituted by fluorine atom.
  
2. (original): The method of producing a fluoropolymers according to Claim 1, wherein the carboxylate ester bond is an acyloxy group represented by  $RfCOO^-$  ( $Rf$  representing a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl group containing 1 to 20 carbon atoms) or an alkoxy carbonyl group represented by  $RfOCO^-$  ( $Rf$  being as defined above).
  
3. (currently amended): The method of producing a fluoropolymers according to Claim 1 or 2, wherein the carboxylate ester bond-containing carboxylic acid derivative is a 2-acyloxy carboxylic acid derivative represented by the general formula (1):



Preliminary Amendment  
Based on PCT/JP2004/010214

wherein  $Rf^1$  and  $Rf^2$  are the same or different and each represents H, F, a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl group containing 1 to 20 carbon atoms, a and b each represents an integer of 0 to 2 and d represents an integer of 1 to 3 provided that a, b and d satisfy the relation  $a + b + d = 3$ ; Rf and M are as defined above, and  $Rf^1$ ,  $Rf^2$  and Rf are the same or different.

4. (currently amended): The method of producing a fluoropolymer according to Claim 1-~~or~~ 2,

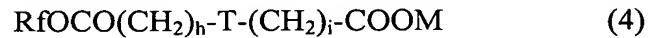
wherein the carboxylate ester bond-containing carboxylic acid derivative is a dicarboxylic acid half ester (A) represented by the general formula (3):



wherein  $Rf^5$  represents  $-C_fH_{2f-}$  or  $-C_gH_{2g-2-}$  (in which f represents an integer of 1 to 6 and g represents an integer of 2 to 6) and Rf and M are as defined above.

5. (currently amended): The method of producing a fluoropolymer according to Claim 1-~~or~~ 2,

wherein the carboxylate ester bond-containing carboxylic acid derivative is a dicarboxylic acid half ester (B) represented by the general formula (4):



wherein T represents  $-CRf^4=CH-$ ,  $-CH=CRf^4-$  or  $-CHRF^4-$  (in which  $Rf^4$  represents F, a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl

group containing 1 to 20 carbon atoms), h and i are the same or different and each represents an integer of 0 to 3, and Rf and M are as defined above.

6. (currently amended): The method of producing a fluoropolymer according to Claim 1,~~2, 3, 4 or 5,~~

wherein a 0.1% (by mass) aqueous solution of the carboxylate ester bond-containing carboxylic acid derivative has a surface tension of 30 to 70 Nm/m as measured at 25°C by Wilhelmy method.

7. (currently amended): The method of producing a fluoropolymer according to Claim 1,~~2, 3, 4, 5 or 6,~~

wherein the carboxylate ester bond-containing carboxylic acid derivative can generate a hydrolyzate upon hydrolysis,

the number of fluorine atom-bound carbon atoms in said hydrolyzate is not more than 6.

8. (original): The method of producing a fluoropolymer according to Claim 7,  
wherein the number of fluorine atom-bound carbon atoms is not more than 4.

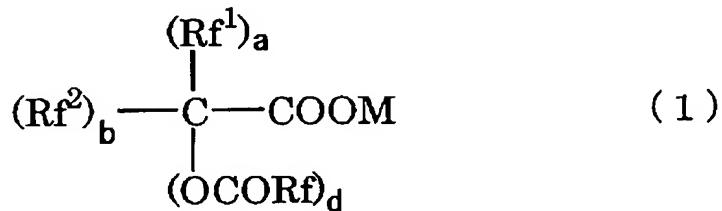
9. (currently amended): The method of producing a fluoropolymer according to Claim 1,~~2, 3, 4, 5, 6, 7 or 8,~~

wherein the carboxylate ester bond-containing carboxylic acid derivative is added at a level of 0.0001 to 15% by mass of the aqueous medium.

10. (original): A fluoropolymer aqueous dispersion which comprises a particle comprising a fluoropolymer, a carboxylate ester bond-containing carboxylic acid derivative and an aqueous medium,

wherein said carboxylate ester bond-containing carboxylic acid derivative has a carboxylate ester bond and  $-COOM$  ( $M$  representing  $H$ ,  $NH_4$ ,  $Li$ ,  $Na$  or  $K$ ),  
said carboxylate ester bond may optionally be substituted by fluorine atom.

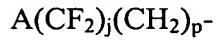
11. (currently amended): A 2-acyloxycarboxylic acid derivative which is represented by the general formula (1):



wherein  $Rf^1$  and  $Rf^2$  are the same or different and each represents  $H$ ,  $F$ , a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl group containing 1 to 20 carbon atoms,  $Rf$  represents a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl group containing 1 to 20 carbon atoms,  $M$  represents  $H$ ,  $NH_4NH_4$ ,  $Li$ ,  $Na$  or  $K$ ,  $a$  and  $b$  each represents an integer of 0 to 2 and  $d$  represents an integer of 1 to 3 provided that  $a$ ,  $b$  and  $d$  satisfy the relation  $a + b + d = 3$ ;  $Rf^1$ ,  $Rf^2$  and  $Rf$  are the same or different.

Preliminary Amendment  
Based on PCT/JP2004/010214

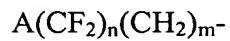
12. (original): The 2-acyloxycarboxylic acid derivative according to Claim 11,  
wherein  $Rf^1$  and  $Rf^2$  are the same or different and each is



wherein A represents H or F, j represents an integer of 1 to 6 and p represents an integer of 0 to 3.

13. (currently amended): The 2-acyloxycarboxylic acid derivative according to Claim 11-~~or~~  
~~42~~,

wherein Rf is



wherein A represents H or F, n represents an integer of 1 to 4 and m represents an integer of 0 to 3, or

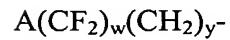


wherein X represents F or  $CF_3$ , q represents an integer of 0 to 3, r represents an integer of 0 to 2, t represents an integer of 1 to 3 and A is as defined above.

14. (original): The 2-acyloxycarboxylic acid derivative according to Claim 11,  
wherein  $Rf^1$  and  $Rf^2$  are the same or different and each is



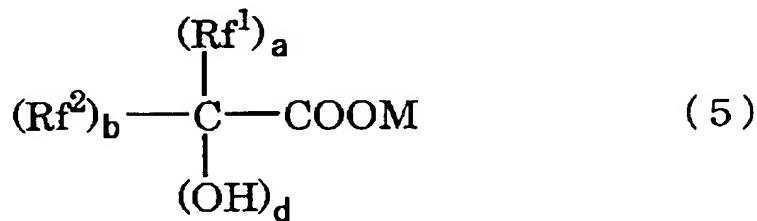
wherein A represents H or F and u represents an integer of 1 to 3, and Rf is



wherein A is as defined above, w represents an integer of 2 to 4 and y represents an integer of 0 to 1.

15. (currently amended): A surfactant which comprises the 2-acyloxycarboxylic acid derivative according to ~~Claim 11, 12, 13 or 14~~.

16. (currently amended): A method of producing a 2-acyloxycarboxylic acid derivative, which comprises producing the 2-acyloxycarboxylic acid according to ~~Claim 11, 12, 13 or 14~~ by esterifying a 2-hydroxycarboxylic acid derivative represented by the general formula (5):



wherein  $\text{Rf}^1$  and  $\text{Rf}^2$  are the same or different and each represents H, F, a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl group containing 1 to 20 carbon atoms, M represents H,  $\text{NH}_4$ , Li, Na or K, a and b each represents an integer of 0 to 2 and d represents an integer of 1 to 3 provided that a, b and d satisfy the relation  $a + b + d = 3$ , and an alkanoyl compound represented by the general formula (6):



wherein Rf represents a fluoroalkyl group containing 1 to 20 carbon atoms or an ether oxygen-containing fluoroalkyl group containing 1 to 20 carbon atoms, Z represents  $-\text{OM}^1$  or Y ( $\text{M}^1$  representing H,  $\text{NH}_4$ , Li, Na or K and Y representing F or Cl).